

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

UNITED STATES OF AMERICA

VS.

CRIMINAL NO. 3:08CR45TSL

SAMMY TYLER

ORDER

This cause is before the court following defendant/appellant Sammy Tyler's filing of a notice of appeal from the judgment of the United States Magistrate Judge. The court, finding that this appeal is governed by Federal Rule of Criminal Procedure 58, hereby sets forth a time schedule upon which this appeal shall proceed. Accordingly, the court orders as follows:

1. The scope of this appeal shall be the same as an appeal from a judgment of a district court to a court of appeals.
2. The record shall consist of the original papers and exhibits in the case together with any transcript, tape, or other recording of the proceedings. The defendant/appellant shall have thirty (30) days within entry of this order to file it with the clerk, and notify chambers of the availability of the record.
3. The defendant/appellant shall serve and file a brief within twenty (20) days after the date on which the record/transcript is filed.
4. The government shall, within fifteen (15) days of

the date on which the appellant's brief is filed,
submit its response.

5. Thereafter, the appellant may, within five (5) days
of the government's brief being filed, file a rebuttal
brief.

6. If the appellant fails to adhere to this order, this
appeal shall be subject to dismissal.

SO ORDERED, this the 7th day of October, 2008.

/s/Tom S. Lee
UNITED STATES DISTRICT JUDGE